

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 23-0902.02 Zach Blaes x4348

SENATE BILL 23-241

SENATE SPONSORSHIP

Bridges and Kirkmeyer, Baisley, Buckner, Coleman, Cutter, Exum, Fenberg, Fields, Gardner, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Liston, Lundeen, Moreno, Mullica, Pelton B., Pelton R., Priola, Rich, Roberts, Simpson, Smallwood, Van Winkle, Will, Winter F.

HOUSE SPONSORSHIP

Bird and Bockenfeld,

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE OFFICE OF SCHOOL SAFETY, AND,**
102 **IN CONNECTION THEREWITH, REQUIRING THE DIRECTOR OF THE**
103 **OFFICE OF SCHOOL SAFETY TO APPOINT A GRANTS MANAGER,**
104 **CREATING A CRISIS RESPONSE UNIT WITHIN THE OFFICE OF**
105 **SCHOOL SAFETY, SPECIFYING THAT THE OFFICE OF SCHOOL**
106 **SAFETY HAS OVERSIGHT OVER THE SCHOOL SAFETY RESOURCE**
107 **CENTER, SPECIFYING THAT THE SCHOOL ACCESS FOR**
108 **EMERGENCY RESPONSE GRANT PROGRAM IS ADMINISTERED BY**
109 **THE OFFICE OF SCHOOL SAFETY, AND MAKING AN**
110 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
3rd Reading Unamended
March 30, 2023

SENATE
Amended 2nd Reading
March 29, 2023

not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Joint Budget Committee. The bill creates the office of school safety (office) within the office of the executive director in the department of public safety. The office oversees the school safety resource center (center), which assists schools in preventing, preparing for, responding to, and recovering from emergencies and crisis situations by offering training and other supportive services. The director of the office is required to appoint the director of the center and appoint a grants manager to assist schools in obtaining funding related to school safety.

The bill also creates the crisis response unit within the office to assist schools in responding to a crisis or emergency event.

Currently, the school access for emergency response grant program (SAFER) is administered by the division of homeland security and emergency management in the department of public safety. The bill moves the administration of SAFER to the office.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-1802,
3 **amend** (1), and (2); and **add** (3.5) as follows:

4 **24-33.5-1802. Definitions.** As used in this part 18, unless the
5 context otherwise requires:

6 (1) "Advisory board" means the school safety resource center
7 advisory board created in the OFFICE IN THE department pursuant to
8 section 24-33.5-1804.

9 (2) "Center" means the school safety resource center created in the
10 ~~department~~ OFFICE pursuant to section 24-33.5-1803.

11 (3.5) "OFFICE" MEANS THE OFFICE OF SCHOOL SAFETY CREATED IN
12 SECTION 24-33.5-2702.

13 **SECTION 2.** In Colorado Revised Statutes, 24-33.5-1803,
14 **amend** (1), (2), and (3)(g) as follows:

1 **24-33.5-1803. School safety resource center - created - duties.**

2 (1) There is hereby created within the ~~department~~ OFFICE the school
3 safety resource center to assist schools in preventing, preparing for,
4 responding to, and recovering from emergencies and crisis situations and
5 to foster positive learning environments. The director of the center ~~shall~~
6 ~~be~~ IS appointed by the ~~executive director~~ DIRECTOR OF THE OFFICE
7 pursuant to section 13 of article XII of the state constitution.

8 (2) The center ~~and the director shall exercise their powers and~~
9 ~~perform their duties and functions under the department and the executive~~
10 ~~director as if the same were transferred to the department by a type 2~~
11 ~~transfer, as such transfer is defined in the "Administrative Organization~~
12 ~~Act of 1968", article 1 of this title~~ IS A **TYPE 2** ENTITY, AS DEFINED IN
13 SECTION 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES
14 AND FUNCTIONS UNDER THE OFFICE.

15 (3) The center has the following duties:

16 (g) To provide information and resources relating to school safety,
17 school emergency response planning and training, and interoperable
18 communications in schools, as determined by the center, to the division
19 of fire prevention and control in the department of public safety to be
20 distributed to school districts and schools pursuant to section
21 24-33.5-1213.4. NOTHING IN THIS SUBSECTION (3)(g) PERMITS PROVIDING
22 A FIREARM, AS DEFINED IN SECTION 18-1-901, TO A SCHOOL DISTRICT OR
23 A SCHOOL.

24 **SECTION 3.** In Colorado Revised Statutes, 24-33.5-1804,
25 **amend** (1) as follows:

26 **24-33.5-1804. School safety resource center advisory board -**
27 **created.** (1) There is hereby created in the ~~department~~ OFFICE the school

1 safety resource center advisory board to recommend policies of the
2 center.

3 **SECTION 4.** In Colorado Revised Statutes, **amend** 24-33.5-1805
4 as follows:

5 **24-33.5-1805. Authorization to contract for services.** The
6 ~~department~~ OFFICE is authorized to contract for services with any state,
7 county, local, municipal, NONPROFIT ENTITY, or private agency to
8 implement the provisions of this part 18 and fulfill the duties of the
9 center, which duties are described in section 24-33.5-1803 (3).

10 **SECTION 5.** In Colorado Revised Statutes, **amend** 24-33.5-1806
11 as follows:

12 **24-33.5-1806. Evaluation - report.** (1) NOTWITHSTANDING
13 SECTION 24-1-136 (11)(a)(I), on or before January 1, 2010, AND ON OR
14 BEFORE JANUARY 1 OF EACH YEAR THEREAFTER, the director shall prepare
15 and submit to the executive director a report evaluating the efficacy and
16 value of the services provided by the center to schools.

17 (2) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), on or before
18 January 15, 2010, AND ON OR BEFORE JANUARY 15 OF EACH YEAR
19 THEREAFTER, the executive director shall prepare and submit to the
20 education and judiciary committees of the house of representatives and
21 the senate, or any successor committees, a report evaluating the efficacy
22 and value of the services provided by the center to schools.

23 **SECTION 6.** In Colorado Revised Statutes, 24-33.5-1810,
24 **amend (3)(f) and (3)(g); and add (3)(h) as follows:**

25 **24-33.5-1810. School security disbursement program - created**
26 **- rules - definitions - repeal.** (3) An eligible entity that receives a
27 disbursement from the disbursement program may use the disbursed

1 money only for the following purposes:

2 (f) Developing and providing training programs, curriculums, and
3 seminars related to school safety incident response; and

4 (g) Developing best practices and protocols related to school
5 safety incident response; AND

6 (h) IMPLEMENTING A SCHOOL RESOURCE OFFICER PROGRAM.

7 SECTION 7. In Colorado Revised Statutes, 24-33.5-1810,
8 amend (3)(f) and (3)(g); and add (3)(h) as follows:

9 **24-33.5-1810. School security disbursement program - created**
10 **- rules - definitions - repeal.** (3) An eligible entity that receives a
11 disbursement from the disbursement program may use the disbursed
12 money only for the following purposes:

13 (f) Developing and providing training programs, curriculums, and
14 seminars related to school safety incident response; and

15 (g) Developing best practices and protocols related to school
16 safety incident response; AND

17 (h) TO IMPLEMENT A CO-RESPONDER PROGRAM.

18 SECTION 8. In Colorado Revised Statutes, 24-33.5-2103,
19 amend (3) as follows:

20 **24-33.5-2103. Definitions.** As used in this part 21, unless the
21 context otherwise requires:

22 (3) "Director" means the director of the ~~division of homeland~~
23 ~~security and emergency management created in section 24-33.5-1603~~
24 OFFICE OF SCHOOL SAFETY CREATED IN SECTION 24-33.5-2702.

25 SECTION 9. In Colorado Revised Statutes, 24-33.5-2104,
26 amend (1) and (3) as follows:

27 **24-33.5-2104. School access for emergency response grant**

1 **program - created - rules.** (1) There is hereby created in the department
2 in the ~~division of homeland security and emergency management~~ OFFICE
3 OF SCHOOL SAFETY CREATED IN SECTION 24-33.5-2702 the school access
4 for emergency response grant program to provide grants to schools and
5 public safety communications system owners to provide funding for
6 needed interoperable communication hardware, software, equipment
7 maintenance, and training to allow for seamless communications between
8 new or existing school communications systems and first responder
9 communications systems.

10 (3) The ~~division of homeland security and emergency~~
11 ~~management~~ OFFICE OF SCHOOL SAFETY CREATED IN SECTION
12 24-33.5-2702 shall administer the grant program and, subject to available
13 appropriations, shall award grants as provided in this part 21. Subject to
14 available appropriations, grants ~~shall~~ MUST be paid out of the fund created
15 in section 24-33.5-2107.

16 **SECTION 10.** In Colorado Revised Statutes, 24-33.5-2105,
17 **amend** (1) introductory portion as follows:

18 **24-33.5-2105. Grant program - application - criteria - awards.**

19 (1) A school is required to have a memorandum of understanding with
20 its regional public safety 911 answering point or the local law
21 enforcement agency or agencies that serve the school for communications
22 interoperability to be eligible to apply for a grant. To receive a grant, a
23 school must submit an application to the ~~division of homeland security~~
24 ~~and emergency management~~ OFFICE OF SCHOOL SAFETY CREATED IN
25 SECTION 24-33.5-2702 in accordance with rules promulgated by the
26 director. At a minimum, the application must include the following
27 information:

1 EDUCATION.

2 **24-33.5-2702. Office of school safety - created - duties - grants**

3 **manager - crisis response unit.** (1) THE OFFICE OF SCHOOL SAFETY IS

4 HEREBY CREATED WITHIN THE OFFICE OF THE EXECUTIVE DIRECTOR. THE

5 EXECUTIVE DIRECTOR SHALL APPOINT A DIRECTOR OF THE OFFICE

6 PURSUANT TO SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION.

7 THE OFFICE IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND

8 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER

9 THE EXECUTIVE DIRECTOR.

10 (2) THE OFFICE HAS THE FOLLOWING DUTIES:

11 (a) TO OVERSEE THE CENTER;

12 (b) TO ADMINISTER THE SCHOOL ACCESS FOR EMERGENCY
13 RESPONSE GRANT PROGRAM CREATED IN SECTION 24-33.5-2104;

14 (c) TO PROMOTE EQUITABLE ACCESS TO SCHOOL SAFETY SUPPORT
15 FOR ALL SCHOOLS;

16 (d) TO ASSIST SCHOOLS IN ASSESSING ANY SCHOOL SAFETY
17 CHALLENGES;

18 (e) TO ASSIST SCHOOLS IN OBTAINING ANY AVAILABLE FUNDING OR
19 GRANTS RELATED TO SCHOOL SAFETY;

20 (f) TO PROVIDE TECHNICAL ASSISTANCE TO SCHOOLS TO IMPROVE
21 SCHOOL SAFETY; AND

22 (g) ANY OTHER DUTIES THAT THE EXECUTIVE DIRECTOR DEEMS
23 NECESSARY.

24 (3) THE DIRECTOR SHALL APPOINT A GRANTS MANAGER TO ASSIST
25 SCHOOLS IN OBTAINING ANY FUNDING OR GRANTS AVAILABLE PURSUANT
26 TO PART 18 OF ARTICLE 33.5 OF TITLE 24, ANY FUNDING AVAILABLE
27 PURSUANT TO PART 21 OF ARTICLE 33.5 OF TITLE 24, AND ANY OTHER

1 AVAILABLE FUNDING RELATED TO SCHOOL SAFETY.

2 (4) THE CRISIS RESPONSE UNIT IS HEREBY CREATED WITHIN THE
3 OFFICE. THE UNIT SHALL ASSIST SCHOOLS IN RESPONDING TO A CRISIS OR
4 EMERGENCY EVENT.

5 **SECTION 13.** In Colorado Revised Statutes, 24-1-128.6, **add**
6 (10) and (11) as follows:

7 **24-1-128.6. Department of public safety - creation - repeal.**

8 (10) THE OFFICE OF SCHOOL SAFETY, CREATED IN SECTION 24-33.5-2702,
9 IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND EXERCISES ITS
10 POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER THE OFFICE OF
11 THE EXECUTIVE DIRECTOR IN THE DEPARTMENT OF PUBLIC SAFETY.

12 (11) THE SCHOOL RESOURCE CENTER, CREATED IN SECTION
13 24-33.5-1803, IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION 24-1-105, AND
14 EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND FUNCTIONS UNDER
15 THE OFFICE OF SCHOOL SAFETY IN THE OFFICE OF THE EXECUTIVE
16 DIRECTOR IN THE DEPARTMENT OF PUBLIC SAFETY.

17 **SECTION 14.** In Colorado Revised Statutes, 25-1.5-113, **amend**
18 (1)(g) as follows:

19 **25-1.5-113. Crisis and suicide prevention training grant**
20 **program - creation - process - reporting requirements - fund -**
21 **definitions.** (1) As used in this section, unless the context otherwise
22 requires:

23 (g) "School safety resource center" means the school safety
24 resource center in the OFFICE OF SCHOOL SAFETY IN THE OFFICE OF THE
25 EXECUTIVE DIRECTOR IN THE department of public safety, established
26 pursuant to section 24-33.5-1803.

27 **SECTION 15. Appropriation.** (1) For the 2023-24 state fiscal

1 year, \$24,798,091 is appropriated to the department of public safety for
2 use by the office of school safety. This appropriation consists of
3 \$19,401,600 from the general fund, \$5,000,000 from the school access for
4 emergency response grant program cash fund created in section
5 24-33.5-2107 (1)(a), C.R.S., \$250,000 from the marijuana tax cash fund
6 created in section 39-28.8-501 (1), C.R.S., \$146,491 from the school
7 safety resource center cash fund created in section 24-33.5-1807 (1),
8 C.R.S. To implement this act, the office may use this appropriation as
9 follows:

10 (a) \$5,524,916, which consists of \$274,916 from the general fund,
11 \$5,000,000 from the school access for emergency response grant program
12 cash fund, and \$250,000 from the marijuana tax cash fund, for
13 administrative services, which amount is based on an assumption that the
14 office will require an additional 1.8 FTE;

15 (b) \$1,825,744, which consists of \$1,679,253 from the general
16 fund and \$146,491 from the school safety resource center cash fund for
17 the school safety resource center, which amount is based on an
18 assumption that the office will require an additional 11.2 FTE;

19 (c) \$1,144,023 from the general fund for the crisis response unit,
20 which amount is based on an assumption that the office will require an
21 additional 3.7 FTE;

22 (d) \$303,408 from the general fund for threat assessment, which
23 amount is based on an assumption that the office will require an
24 additional 0.5 FTE; and

25 (e) \$16,000,000 from the general fund for the school security
26 disbursement program.

27 (2) For the 2023-24 state fiscal year, \$313,951 is appropriated to

1 the department of public safety for use by the executive director's office.
2 This appropriation is from the general fund. To implement this act, the
3 office may use this appropriation as follows:

4 (a) \$108,422 for personal services, which amount is based on an
5 assumption that the office will require an additional 0.9 FTE;

6 (b) \$80,761 for health, life, and dental;

7 (c) \$1,141 for short-term disability;

8 (d) \$35,571 for amortization equalization disbursement;

9 (e) \$35,571 for supplemental amortization equalization
10 disbursement;

11 (f) \$9,135 for operating expenses;

12 (g) \$10,800 for vehicle lease payments; and,

13 (h) \$32,550 for leased space.

14 **SECTION 16. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, or safety.